



SOUTHWEST WORKERS' UNION

January 9, 2008

**Executive
Board**

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Eloy Contreras

Vice-President:
Helen Winslow

Secretary:
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Jane R. Summerson
M. Lee Bishop
Environmental Impact Statement Office
U.S. Department of Energy
Office of Civilian Radioactive Waste Management
1551 Hillshire Drive
Las Vegas, NV 89134

Sent via fax to 1-800-967-0739

**RE: Comments on the draft Repository Supplemental and Nevada Rail Corridor/Alignment
Environmental Impact Statements**

Dear Ms. Summerson and Mr. Bishop:

Southwest Workers Union (SWU) is a 19 year old membership-based non-profit organization based in San Antonio, Texas, with a long history of organizing in and with environmental justice communities. SWU opposes the investment of San Antonio's public utility, CPS Energy, in two new nuclear reactors at the South Texas Project in part because of the serious health and safety risks from waste storage, transport, and disposal. SWU opposes the development of Yucca Mountain into a nuclear waste repository because of the grave human right and environmental justice violations it presents. Both draft Environmental Impact Statements (EIS) fail to adequately characterize this disastrous proposal or these impacts.

Geological fault lines run under and near the Yucca Mountain area, posing a huge risk of groundwater contamination and making the site an unacceptable choice for a nuclear waste repository. High level radioactive waste stays deadly for tens of thousands of years. Engineering a safe repository that can withstand such a geological timescale is an unprecedented challenge, and the Supplemental EIS need to reflect this.

In an area where many communities rely on groundwater for drinking water, there is a grave risk to public health from the proposal. The Supplemental EIS does not adequately consider the possible effects of groundwater pumping on groundwater movement near Yucca Mountain. The aquifer underlying the site also has several discharge points into Death Valley National Park on its western edge, and yet the Supplemental EIS fails to examine the potential harm to drinking water, plants or wildlife in California. Flash floods occur regularly in the area and their impact on the movement on contamination in surface water and exposure to people, plant, and animal life also needs to be considered. Transporting radioactive waste by rail and truck is extremely dangerous and the risk to local communities from accidents is not adequately characterized in the EIS. Full consideration also needs to be given to the potentially devastating socio-economic impacts from accidents, water and soil contamination, and air pollution from construction, train and truck traffic on the tourism industry in California and the dairy industry of Nevada.

Yucca Mountain is a sacred site for local Native American tribes and the Supplemental EIS completely fails to address the disproportional impact of the repository on the sovereignty, cultural practices, religious freedoms, human rights, and drinking water of indigenous peoples. The United Nation's Committee to End Racial Discrimination identified Yucca Mountain as a human rights violation against the Western Shoshone Nation in a 2004 declaration and the Supplemental EIS needs to reflect that and consider the ongoing litigation over the 1863 Treaty of Ruby Valley which established Yucca Mountain as belonging to the Western Shoshone Nation. Yucca Mountain would be yet another crime of environmental justice against the local Native Americans who are already impacted by the Nevada Test Site.

Sincerely,

Genaro L. Rendon, Director

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'Community, workers & youth united in the struggle for dignity & justice'